

**EASTPORT CITY COUNCIL  
CITY COUNCIL MEETING  
WEDNESDAY, JULY 9<sup>th</sup>, 2014  
6:00 P.M. - SHEAD HIGH SCHOOL - LIBRARY**

**I. CALL TO ORDER**

Council President, Mary Repole, called the meeting to order at 6:01 p.m.

Those present were: Councilor Colleen Dana-Cummings, Councilor Scott Emery, Councilor Gilbert Murphy,, and Council President, Mary Repole. Also present were: City Manager, Larry Post; Assistant City Manager, Elaine Abbott; and Legal Counsel, Dennis Mahar.

Audience Attendance: Kathryn Lewis, Dennis Mahar, Jan Finley, Hugh French, Jeff Sullivan, Polly Sullivan, Corey Sullivan, Tom Critchley, Paul Theriault, Wayne Wilcox, Elizabeth Hastings-Renner, Robert Scott, James Levendosky, Rick Farris, Lora Whelan, Jon McNerney, Jeanne Peacock, Ken Brown, Denise Cassidy, Linda Vault-Smith, Greg Noyes, Chris Brown, Richard Clark, Stephen Cannon, and Robert DeWitt.

**II. PUBLIC HEARING(S)**

**LIQUOR LICENSE APPLICATION  
for the EASTPORT SALMON FESTIVAL**

The public hearing was called to order at 6:02 p.m. The Council President explains that the purpose of the hearing is to receive public input relative to a Liquor License application for the Eastport Salmon Festival. She opens the floor for comments. There were none, neither from the public nor Council. Council President declared this hearing closed at 6:03 p.m.

## **ZONING ORDINANCE CHANGE**

### **(SECTIONS 5.2.2 & 5.3.2)**

The public hearing was called to order at 6:04 p.m. The Council President informs the City Council that it is her understanding that it is their wish to table this matter at this time. Jan Finley from the audience addresses the Council and confirms that they request Council to ***table*** this item on the agenda until such time that a workshop is scheduled with the City Council, the Ordinance Review Committee, and the Zoning Board.

She continues further to address the Council and expresses her disappointment with Councils' behavior at the last meeting and reminds them that they have been elected to represent ***all*** the residents. In addition, she also shares of her offensiveness and feels that Council did not review the proposed amendments prior to the meeting and voted as they did with no understanding of what was before them. She comments to also say that the City recently held a referendum of the proposed Charter amendments which passed with the residents recognizing the need for change and growth. She also reminds Council that it is they that asked the committees to look at the Ordinances and the Charter for consideration of what would benefit us all as a whole.

Council President asks for any further questions or comments. There were none and declared the hearing closed at 6:05 p.m.

**CDBG MICRO-ENTERPRISE ASSISTANT GRANT**  
**(DOWNTOWN FACADE IMPROVEMENTS)**

The hearing was called to order at 6:06 p.m.

**Those present:** Councilor Dana-Cummings, Councilor Scott Emery, Councilor Gilbert Murphy, and Council President, Mary Repole.. Also in attendance was City Manager, Larry Post; Assistant City Manager, Elaine Abbott; City Clerk, Ella Kowal; and Legal Counsel, Dennis Mahar.

**Present and Reflective of the Attendance Sheet:** Kathryn Lewis, Dennis Mahar, Jan Finley, Hugh French, Larry Post, Colleen Dana-Cummings, Jeff Sullivan, Polly Sullivan, Corey Sullivan, Tom Critchley, Paul Theriault, Gilbert Murphy, Mary Repole, Scott Emery, Ella Kowal, Elaine Abbott, Wayne Wilcox, Elizabeth Hastings-Renner, Robert Scott, James Levendosky, Rick Farris, Lora Whelan, Jon McNerney, Jeanne Peacock, Ken Brown, Denise Cassidy, Linda Vault-Smith, Greg Noyes, Chris Brown, Richard Clark, Stephen Cannon, and Robert DeWitt.

Council President, Mary Repole, opens up the floor and reminds everyone of the importance of signing the **signature sheet for attendance** of the Public Hearing and asks that everyone attending be sure to sign it.

Hugh French from the audience addresses the Council and gives a brief update on the grant application and emphasizes that there is no match required from the City.

He informs Council they had received a call from the Office of CDBG with an opportunity to apply for additional unexpected money and they encouraged that the City take this under consideration. It is recommended that renovations/improvements be considered for two existing projects. One of which is the Masonic building and the other would be the former Havey & Wilson Drug store building. In addition, they would like to add the S.L. Wadsworth building. He comments to say that although there are no guarantees for this application but feels the City has a very good working relationship with the office of CDBG and they are knowledgeable of our what we have already been able to accomplish thus far. He informs Council that we would be able to apply for up to \$150,000. He also updates Council that there is no matching requirement on the City's part. He comments to say that should the City become eligible, the funds would become available later this Fall. Denise Brown from the audience addresses Mr. French and asks if the Knights of Pythias is off the tables and he responds that it is at this time.

Council President calls for further questions or comments from the public and the City Council. There were none.

The Council President declared the hearing closed at 6:09 p.m.

### III. ACTION ON PUBLIC HEARING(S)

MOTION                      MURPHY                      SECOND                      DANA-CUMMINGS

To approve the *Liquor License application* for the **Eastport Salmon Festival**.

PASSED            4-0            (Councilor Archer not in attendance yet, but on his way)

MOTION                      EMERY                      SECOND                      MURPHY

To table the Public Hearing of 7/9/14 for consideration of Zoning Ordinance Change to Sections 5.22.2 & 5.3.2 as requested by Jan Finley until further notice.

PASSED            4-0            (Councilor Archer not in attendance yet, but on his way)

MOTION                      EMERY                      SECOND                      MURPHY

To approve moving forward with the submission of a grant application for a CDBG Micro-Enterprise Assistant Grant to be utilized for Downtown Facade Improvements with the understanding that there is no match required of the City.

PASSED            4-0            (Councilor Archer not in attendance yet, but on his way)

### IV. OPEN PUBLIC FORUM

Jon McNerney from the audience addresses the Council and puts forth a request of the Council to eliminate the position of the Assistant City Manager. He comments to say that he feels it is not something the City needs but rather something nice to have given the demographics of the City that he has reviewed. He expresses his concern of the cost over the long term and continues to say that the City is not a job corp and should serve the people and only pay for what we need. He continues on to say that the City Manager should give consideration to consolidating the duties at City Hall and requests that there be a staff reduction. He further comments to say that there are two ways to accomplish this. The first being, the vote of the Council and the second, putting it out to referendum. He states that if Council feels it is inappropriate in that they would be influencing the City Manager on this, he reiterates the need to put this out for the people to decide by way of a referendum and let them decide.

The Council President calls for any comments. The City Manager responds by saying that he does not wish to get into a debate but that he reminds Council that we have had staff reduction in City Hall in the last few years. He also reminds Council with the proposed increase, the new Assistant City Manager is the lowest paid person at City Hall as well as in the City. Councilor Dana-Cummings suggests maybe the Council should look at revisiting this as people are under the assumption that it is costing the City more.

A resident of 5 Clark Street addresses the Council with a concern of having raw sewerage backing up into her basement. She also voices concern of a lot of water from the last storm and that the drains/catch basins are clogged and are not cleaned. The City Manager responds that they are looking into but also reminds everyone of the recent amount of rain that the City has been experienced for that period of time. Greg Noyes further speaks to the same problem of the catch basin that is 15-20 feet of his residence on Water Street at the Kilby House. The City Manager reiterates that they are working on these issues and all departments are doing what they can to address them. Jan Finley also notes that this is not a new problem and that she has been battling this issue for eleven years. Continues on to say that she believes the problem is much bigger than storm drains. Council President asks the City Manager for some type of report for the next meeting of the various problem areas that have been reported. Hugh French addresses Council and updates them that the storm drain by the Tides Institute has been plugged almost a year now. Councilor Dana-Cummings asks if there is a master list and suggests that maybe the City put something in the paper. The Council President informs Council that Councilor Archer has a recommended solution to the problem that is being experienced in front of the pet store and will ask him to share it on his return. Which could ultimately be inexpensive and that the City may have the materials to complete the task. Lora Whelan from the audience asks about an engineering report looking at the draining system of the excess water. The City Manager responds that this has not yet been completed and they are working on trying to get them here. A question comes from the audience with regard to smoke tests being done.

Bob DeWitt takes a moment to thank the Council for the donation and support of the Council on behalf of the radio station and that they have ordered the new transmitter and are looking to get the antenna and cable soon. He also recognizes Chris Gardner and Ross Furman for their support as well.

Jan Finley reminds Council that the new Charter Amendments that were passed on June 10<sup>th</sup>, 2014 will go into effect on August 3<sup>rd</sup>, 2014 and that we need to familiarize ourselves with the changes.

## **V. ADJUSTMENTS TO AGENDA**

MOTION                      MURPHY                      SECOND                      EMERY

To amend the agenda to add the scheduling of a Public Hearing for Charter Amendments and the scheduling of a Workshop between City Council, Zoning Board, and the Ordinance Review committee under Item IX of said agenda.

PASSED                      4-0

## **VI. MINUTES OF PREVIOUS MEETINGS(S) - 5/14/2014 & 6/11/2014**

MOTION                      EMERY                      SECOND                      MURPHY

To accept and approve the minutes for the Council meeting of **May 14<sup>th</sup>, 2014** and **June 11<sup>th</sup>, 2014** as submitted by the City Clerk, Ella Kowal.

PASSED                      4-0

## **VII. UNFINISHED BUSINESS - THERE WAS NONE**

## **VIII. NEW BUSINESS**

### **a) Perpetual Care Lot - Anne MacDonald - \$1,200.00**

MOTION                      EMERY                      SECOND                      MURPHY

To table this matter, until further notice, as the City is waiting on additional information from the family with regard to confirmation of their paperwork relative to the perpetual care of said lot.

PASSED                      4-0

**b) Commit Sewer Fees to City Treasurer for 1<sup>st</sup> Quarter of FY2015**

MOTION MURPHY SECOND DANA-CUMMINGS

To approve committing the Sewer Fees to the City Treasurer for the 1<sup>st</sup> Quarter of FY2015 in the amount of \$87,850.55.

PASSED 4-0

**c) Award of Bid and Sale of Property – 21 Middle Street – Tax Map I7-0D3-07**

MOTION DANA-CUMMINGS SECOND MURPHY

To accept and award the bid of 21 Middle Street, Tax Map #I7-0D3-07 to Tom Humphrey in lieu of payment for the Taxes and Sewer estimated to be around \$5,200.00 as submitted with the understanding that the City Manager and Legal Counsel will work together to draw up a contract with the specifics of said proposal and with a time line as specified.

PASSED 4-0

**d) Transfer of FY2014 Excise Tax from Boat Registrations to Port Authority - \$3,130.10**

MOTION MURPHY SECOND EMERY

To approve and authorize the Treasurer to transfer an amount of **\$3,130.10** for the *FY2014 Boat Excise Tax* to the **Port Authority**.

PASSED 4-0

**e) Emergency Operations Plan**

MOTION MURPHY SECOND EMERY

To approve the *adoption* of the Emergency Operations Plan as submitted with the understanding that there will be amendments to follow at a later date.

PASSED 4-0

**f) General Assistance Ordinance Maximums for 2014-2015**

MOTION MURPHY SECOND EMERY

To approve the General Assistance Maximums set for 2014-2015 as submitted by MMA.

PASSED 4-0

**g) Vote on MMA LPC Reps**

MOTION                      MURPHY                      SECOND      EMERY

To accept and approve the City Manager's recommendation in support of Lewis Pinkham and Christopher Lockman for candidates for the MMA Legislative Policy Committee.

PASSED      4-0

**IX. SCHEDULING of PUBLIC HEARING(S)**

**1. Charter Amendments**

MOTION                      MURPHY                      SECOND      EMERY

To approve the scheduling of a Public Hearing to be held on August 13<sup>th</sup>, 2014 for consideration of proposed Charter Amendments as submitted by the Charter Committee.

PASSED      4-0

**2. Workshop**

With regard to a workshop for Emergency Management, Councilor Murphy suggests that a committee with Department Heads and a representative or two from the Council get started on it rather than wait to have a workshop and that this would allow them something to bring forward for recommendations at the next meeting. Legal Counsel informs the City Council that Mike Heinneman may be of assistance to them as well. Mary Repole also recommends that we consider help from Ken Brown and he obliges so long as everyone is accepting of it.

MOTION                      MURPHY                      SECOND      EMERY

To approve the scheduling of a Workshop to be held on August 13<sup>th</sup>, 2014 at 5:00 p.m. between the City Council, Zoning Board, and the Ordinance Review Committee.

PASSED      4-0

Councilor Archer arrived at 7:00 P.M.



## **X. REPORTS**

### **1) CITY MANAGER**

MOTION                      MURPHY                      SECOND      ARCHER

To accept the City Manager's report as presented and submitted.

PASSED      5-0

### **2. DEPARTMENT REPORTS**

MOTION                      ARCHER                      SECOND      EMERY

To accept and approve the Financial Report, the Code Enforcement Report, the Police Department Report, the Public Works Report, and the Sewer Report for June, 2014 as submitted and presented.

PASSED      5-0

### **3. BOARDS & COMMITTEES**

- |  |  |
|--|--|
| <b>Planning Board</b>                  | - Have not met as they did not have enough for a quorum  |
| <b>Zoning Board of Appeals</b>         | - No Report  |
| <b>Historic Review Board</b>           | - No Report  |
| <b>Airport</b>                         | - No Report  |
| <b>Harbor</b>                          | - No Report  |
| <b>Downtown</b>                        | - No Report  |
| <b>Charter Committee</b>               | - Previously Covered Earlier on in the Meeting   |
| <b>Port Report</b>                     | - Will be meeting next week  |
| <b>Energy Committee</b>                | - No Report  |
| <b>Ordinance Rev Comm</b>              | - Next meeting scheduled for September   |
| <b>Park &amp; Recreation Committee</b> | - Worked on the Sullivan Street Park;<br>Linda Godfrey also spoke about consideration of<br>a proposed legacy park next to The Commons |
| <b>Recycling Committee</b>             | - Already covered under the City Manager's report  |

MOTION                      MURPHY                      SECOND      ARCHER

To accept the *Boards & Committee* reports for June, 2014 as presented and submitted..

PASSED      5-0

**4.      Council (Ambulance & Marion Transfer)**

MOTION                      ARCHER                      SECOND      MURPHY

To accept and approve the ambulance report as presented by Councilor Murphy  
and to also accept and approve the Marion Transfer update as presented earlier on.

PASSED      5-0

**XI.      COUNCIL ISSUES**

Councilor Dana-Cummings reminds everyone of the Public Hearing that is  
scheduled on the FY2015 Budget that will take place on Wednesday, July 16  
at 6:00 p.m.

**XII.      EXECUTIVE SESSION (*if applicable*)**

THERE WAS NONE.

**XIII.      ACTION from EXECUTIVE SESSION (if any)**

Not applicable, as there was none.

**XIV.      ADJOURN**

MOTION                      ARCHER                      SECOND      MURPHY

To adjourn.

PASSED      5-0      (TIME: 7:28 P.M.)